

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Applicant's Docket No.

2328-124

U.S. Application No. (if known, see 37 CFR 1.5)

09/980585INTERNATIONAL APPLICATION NO.
PCT/FI00/00507INTERNATIONAL FILING DATE
07 June 2000PRIORITY DATE CLAIMED
07 June 1999

TITLE OF INVENTION: A METHOD TO ENABLE ASSESSMENT OF GROWTH AND DEATH OF MICRO-ORGANISMS

APPLICANT(S) FOR DO/EO/US: Esa-Matti LILIUS and Marko VIRTÄ

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☒ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Sequence Listing (10 pages); Five (5) sheets of drawings; Applicant(s) Data Sheet; Statement Pursuant to 37 CFR §1.821(f); and Statement Pursuant to 37 CFR §1.125 with marked-up copy of substitute specification.

U.S. APPLICATION NO. 09/980583 INTERNATIONAL APPLICATION NO. PCT/F100/00507		ATTORNEY DOCKET NO. 2328-124	
21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report Not Prepared by EPO or JPO. \$ 1,040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report has been prepared by the EPO or JPO \$ 890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 1,040.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
Claims	Number Filed	Number Extra	Rate
Total Claims	10 - 20 =	0	X \$18.00
Independent Claims	01 - 3 =	0	X \$84.00
Multiple dependent claim(s) (if applicable)		+ \$280.00	\$00.00
TOTAL OF ABOVE CALCULATIONS =		\$1,040.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$520.00	
SUBTOTAL =		\$520.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE =		\$520.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$	
TOTAL FEES ENCLOSED =		\$520.00	
		Amount to be refunded	\$
		charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$520.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO: Customer No. 6449 Jeffrey L. Ihnen Rothwell, Figg, Ernst & Manbeck 555 13th St., N.W. Washington, D.C. 20004 Phone: 202/783-6040		Signature _____ Jeffrey L. Ihnen Name 28,957 Registration Number	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	<i>Application Number</i>	New Application
	<i>Filing Date</i>	Herewith
	<i>First Named Inventor</i>	Esa-Matti LILIUS
	<i>Group Art Unit</i>	Unassigned
	<i>Examiner Name</i>	Unassigned
	<i>Attorney Docket No.</i>	2328-124
<i>Title of the Invention:</i> A METHOD TO ENABLE ASSESSMENT OF GROWTH AND DEATH OF MICRO-ORGANISMS		

STATEMENT PURSUANT TO 37 CFR 1.125(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In the matter of the above-identified nonprovisional application, filed concurrently herewith, Applicants are submitting a substitute copy of the specification. The substitute specification contains no new matter. A marked-up version of the substitute specification, in which additions are indicated by underlining and deletions are indicated by brackets, is attached.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE		DATE	04 December 2001		
Address	ROTHWELL, FIGG, ERNST & MANBECK, pc Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031

20405055-030402

09/980535

3 Rec'd PCT/PTO 04 DEC 2001


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	<i>Application Number</i>	New Application
	<i>Filing Date</i>	Herewith
	<i>First Named Inventor</i>	Esa-Matti LILIUS
	<i>Group Art Unit</i>	Unassigned
	<i>Examiner Name</i>	Unassigned
	<i>Attorney Docket No.</i>	2328-124
<i>Title of the Invention:</i> A METHOD TO ENABLE ASSESSMENT OF GROWTH AND DEATH OF MICRO-ORGANISMS		

STATEMENT PURSUANT TO 37 CFR 1.821(f)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In the matter of the above-identified nonprovisional application, filed concurrently herewith, Applicants submit a computer-readable form of the sequence listing of the application. It is hereby certified that the content of the paper and computer copies of these sequences are identical.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE			DATE	04 December 2001	
Address	ROTHWELL, FIGG, ERNST & MANBECK, pc Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031